

## REMARKS

Claims 1-24 were pending at the time of the Office action. Claims 1, 18, and 21 have now been amended to correct minor errors, and claims 4, 6, 17, 19, 20, and 22-24 have been withdrawn as a result of this amendment.

### Election/Restrictions

The Examiner has restricted the application to one of the following inventions, as classified by the Examiner under 35 U.S.C. § 121:

- I. Claims 1-18 and 21-24, drawn to a balance weight and method of using, classified in class 301, subclass 5.22;
- II. Claim 19, drawn to a tire, classified in class 152, subclass 154.1; or
- III. Claim 20, drawn to a wheel, classified in class 301, subclass 63.101.

The Examiner considers the inventions set forth in Groups I, II, and III to be distinct from one another as unrelated inventions.

In response to the invention Restriction Requirement, **Applicant hereby elects the invention of Group I**, directed to a balance weight and method of using as set forth in Claims 1-18 and 21-24, with traverse.

The Applicant traverses the Examiner's Restriction Requirement in that the inventions are related to each other in the fact that they all use a chamber partially filled with balance media wherein the media can flow to help balance a tire/wheel assembly which provides the same operation, function, and effect. There is no requirement or preclusion from using the particular chamber, alone or in combination, whether imbedded in the tire or wheel or attached to the tire/wheel assembly.

As Applicant has elected the invention of Group I, the Examiner has also restricted the application to a single disclosed species of the invention. The Examiner states that the application contains claims directed to the following patentably distinct species, as classified by the Examiner under 35 U.S.C. § 121:

- a. Species I, a first embodiment of the balance weight as shown in Figures 1 and 2; or
- b. Species II, a second embodiment of the balance weight as shown in Figure 4.

The Examiner has also restricted the application to a single disclosed embodiment of the cross-sectional shape of the balance weight as shown in Figures 3A, 3B and 3C.

The Examiner has also restricted the application to a single disclosed embodiment of the means for attachment of the balance weight.

The Examiner states that claim 1 is generic.

In response to the species Restriction Requirement, **Applicant hereby elects the embodiment of species I as shown in Figures 1 and 2, the cross-section of Figure 3C, and the attachment means as an adhesive as shown in Figures 5 and 6, with traverse.**

The Applicant traverses the Examiner's species restriction in that the Applicant does not believe that the internal cross-section of the cartridges makes them patentably distinct species.

The Applicant believes that Claims 1, 7-13, 15-16 correspond to Figures 1 and 2.

The Applicant believes that Claims 1 and 14 correspond to the cross-section of Figure 3C.

The Applicant believes that Claims 1-3, 5, 7, 9-14, 18, and 21 correspond to Figures 5 and 6.

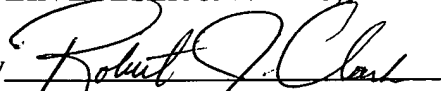
Claims 1-3, 5, 7-16, 18, and 21 remain in the application. Claims 19 and 20 have been withdrawn as pertaining to unelected inventions. Claims 4, 6, 17, and 22-24 have now been withdrawn as pertaining to unelected species.

Appl. No. 10/806,671  
Amdt. dated January 13, 2005  
Reply to Office action of January 5, 2005

Prompt consideration of this application and allowance of the claims are requested. If the Examiner should have any question regarding this application or the amendment, a call to Applicant's attorney would be appreciated.

Respectfully submitted,

HAHN LOESER & PARKS, LLP

By 

Robert J. Clark

Reg. No. 45,835

Tel.: (330) 864-5550

Fax: (330) 864-7986